

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 3-7, 2003

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-4	EX	78/069,939	Elizabeth Ann Russell	Hanak Hairston* Bucher	2(d)	Refusal Affirmed as to both cited registrations		"CAJUNZ" (in stylized lettering) [shirts and pants]	2 cited registrations, owned by the same entity: "CAJUN CLOTHING CO." and "CAJUN CLOTHING CO." (and design) [both marks for men's and women's clothing, namely, shirts, pants, belts, ties, socks, underwear and hats]	Bodson	No
2-4	OPP	111,729	The Toro Co. v. GrassMasters, Inc.	Simms* Chapman Drost	2(d)	Opposition Dismissed	"LAWN-BOY" [lawn mowers, lawn mower blades, grass catcher bags and various attachments to lawn mowers; lubricants and fuel conditioning additives, and other goods and services relating to lawn mowers; various educational services relating to the maintenance and repair of internal combustion engines and lawn mowers]; "SNOW PUP" [snow plows; printed materials for snow throwers and snow plows such as owner's manuals and parts catalogs]	"LAWN PUP" [lawn mowers]			Yes

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 3-7, 2003 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-4	CANC	30454	No-belle.com, LLC v. Qwest Communications Int'l., Inc.	Hairston Bottorff* Rogers	genericness; abandonment; whether cancellation petitioner has standing	Petition to Cancel Denied		design mark consisting of the stylized representation of a bell within a circle [telecommunications services]			No
2-5	EX	75/782,260	Marconi Communications, Inc.	Simms Cissel Quinn*	2(e)(1)	Refusal Reversed		"MICA" [indoor cabinets used to house electronic equipment at central offices of phone companies, whereby the cabinets are used in commercial establishments]		Faint	No
2-5	EX	75/915,846	Miracom Corp.	Cissel Hanak Chapman*	2(e)(1)	Refusal Affirmed		"PARTS.COM" (in stylized lettering) [computerized on-line ordering services and membership-based inventory exchange services in the area of automobile products]		Shanahan	No
2-5	EX	76/018,450	BASF Druck-systeme GmbH	Cissel Hanak* Hohein	2(d)	Refusal Affirmed as to both cited registrations		"NEWSKING" [printing inks]	2 cited registrations, owned by the same entity: "NEWS KING II" [printing presses] and "NEWS KING" (and design) [printing presses, paper handling apparatus for printing presses, and offset printing plates]	Fletcher	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 3-7, 2003 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-5	EX	76/261,159	Michael N. Berke	Simms Hanak* Hairston	2(d)	Refusal Affirmed		"ACCU-PRESS" [massage apparatus]	"ACUPRESS" [topical analgesic and counterirritant liquid and applicator therefor sold as a unit and designed to stimulate body pressure points]	Carroll	No
2-5	EX	76/154,885	Sierra Design Group	Seeherman Hairston Rogers*	2(d)	Refusal Affirmed		"PENNY JUNCTION" [gaming equipment, namely, slot machines with or without a video output, electromechanical gaming equipment and electronic gaming equipment]	"JACKPOT JUNCTION" (and design) [gaming equipment, namely, video slot machines]	Corea	No
2-5	EX	76/040,782	Inhale Therapeutic Systems, Inc.	Hanak Hohein Rogers*	2(d)	Refusal Affirmed		"SOLO" [medical apparatus in the nature of a hand-held unit for aerosol drug delivery to the deep lung of large and small molecule drugs as fine, dry particles]	"SOLO" [positive airway breathing devices]	Ririe	No
2-6	EX	76/030,904	Travelpro Int'l., Inc.	Simms Rogers Drost*	2(e)(1)	Refusal Affirmed		"FLIGHT CREW" [luggage]		French	No
2-6	EX	76/100,804	Russo & Hale LLP	Quinn* Hairston Bottorff	genericness; whether, if not generic, applicant's mark has acquired distinctiveness under Section 2(f)	Refusal Affirmed		"COMPUTERLAW.COM" [legal services]		Ludlow	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 3-7, 2003 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-6	EX	75/935,479	Wintrust Financial Corp.	Cissel Seeherman Drost*	2(d)	Refusal Affirmed as to both cited registrations		"NORTHBROOK BANK & TRUST COMPANY" [banking services]	<i>2 cited registrations, both owned by the same entity and both registrations for the mark "NORTH BROOK " (and design) [one registration for: insurance services and property and casualty loss control services and the other registration for: commercial and liability insurance administration services, underwriting and administration services in the fields of life insurance and annuities]</i>	B. Brown	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration
(2) *=Opinion Writer; (D)=Dissenting Panel Member